

SAN FRANCISCO, May 23.—Cloudy this p.m. and tonight; fair Friday; fresh westerly winds with fog.

Southern California—Fair tonight and Friday; warmer near Los Angeles; fresh northerly winds.

# Oakland Tribune.

## PRESIDENT W'KINLEY WILL VISIT OAKLAND TOMORROW

Will Review the School Children of the County. Plans to Arrive in Line of March and Oakland at Three O'clock. Review Stand is Fixed.

President McKinley will visit Oakland tomorrow afternoon to review the school children of this city, Alameda, Berkeley and all the country towns.

Edson Adams, chairman of the local reception committee, and Colonel John P. Irish were over in San Francisco again this morning and were given absolute assurance that President McKinley would come.

## THE PROGRAM.

According to the program submitted by Chairman Adams today and approved by President McKinley, the nation's Chief Executive will leave San Francisco tomorrow afternoon at 2:15 o'clock aboard the steamer *Golden Gate*.

He will be accompanied on the trip across the bay by United States Senator George C. Perkins, Congressman Victor Metcalf, Collector of the Port of San Francisco, Colonel John P. Irish, besides his cabinet and the local executive committee composed as follows:

Edson F. Adams, chairman; John A. Britton, P. E. Bowles, H. C. Taft, Sam. H. McKee.

### MAYOR WILL MEET PRESIDENT AT WHARF.

When President McKinley arrives at the wharf he will be met by Mayor Harston, who will extend to him the freedom of the city. The President, Mayor and Edson Adams will then occupy the first carriage.

### LINE OF MARCH IS PLANNED BY COMMITTEE.

Landing at the foot of Broadway at about 2:45, the President and party will proceed in carriages up Broadway to Fourteenth street, thence to Harrison, to Thirteenth, to Jackson, to Lake, to Oak, to Thirteenth, countermarching down Oak street, along Eleventh street, up Harrison street to Fourteenth.

The following section of the line of march has been set aside for the school children and their friends:

Harrison street from Fourteenth to Thirteenth; Thirteenth street from Harrison to Jackson; Jackson street from Thirteenth to Lake; Lake street from Jackson to Oak; Oak street from Lake to Thirteenth.

As many children as can be brought with them, it will be impossible for the public to furnish flags. Principals will bring their school flags and飘带 at the places indicated below:

"Two hundred feet on the west side of Oak street and north of Thirteenth street is set aside for the school children of Berkeley and their friends.

"Five hundred feet on the east side of Oak street and north of Thirteenth street is set aside for the school children of Alameda and their friends.

"High School of Oakland will assemble on the north and south sides of Thirteenth street between Alameda and Jackson streets.

"Bay School, on the west side of Jackson just below Thirteenth street, will occupy 50 feet.

"Berkeley School, on the west side of Jackson street, about 50 feet from Thirteenth street, will occupy 50 feet.

"Tenessee School, on the west side of Jackson street, next to Berkeley School, about opposite Fourteenth street, proposed will occupy about 50 feet.

"Tenessee School, next to Tenessee School, on the west side of Jackson street, about opposite Fourteenth street, proposed, will occupy about 50 feet.

"Tenessee School, on the west side of Jackson street, next to the Tenessee School, about between Fifteenth and Sixteenth streets.

"Tenessee School, on the west side of Jackson just below Thirteenth street, will occupy 50 feet.

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## PYTHIANS ELECT NEW OFFICERS.

### Fine Meeting Is Being Held in City of Stockton.

Our Summer Sale of Framed Pictures is now on. Every lover of artistic Pictures will be interested in the reductions we are now making. Framing to order is our specialty, 1000 mouldings to select from, and highest artistic effect guaranteed. Smith Bros., Booksellers and Stationers, 12th and Washington, Oakland.

Associated Press Dispatches by The Tribune's Special Leased Wire. STOCKTON, Cal., May 23.—Grand Vice-Chancellor Calkins presided at the morning session of the Knights of Pythias, Grand Lodge, Chancery, after having been granted a short leave of absence.

Following the roll call, the auditory work was exemplified by Past Grand Chancellor George Samuels of Oakland, instructing the delegates thoroughly in the secret work.

The election of San Francisco as the next meeting place of the Grand Lodge was made by unanimous vote.

Past Grand Chancellor Nyland, Grand Master of the Eugene Little and Pa Pa Grand Chancellor Lindsay were appointed a committee to submit a memorial to the subordinate lodges containing a proposal for the building of a Pythian Lodge, the matter to be settled at the next session of the Grand Lodge.

The election of grand officers was made at the special order for 2 o'clock.

Grand Vice-Chancellor Calkins will be next Grand Chancellor after without opposition. For president the candidates are G. V. Sergeant of Sausalito, Judge Clark of Santa Cruz and J. C. Burns of Auburn.

Past Grand Vice-Chancellor Grand Prelate Frank of Los Angeles will have no opposition. For grand master an armful, J. J. Bittel of Stockton, Mr. Miller of Oroville and Major of Sacramento are candidates. Grand Master of the Eastern Calif. and Grand Secretary-Chancellor will be reelected without opposition. For senior vice-president, Past Grand Chancellors Andri and Samuels are candidates.

The election of grand officers was made at the special order for 2 o'clock.

The case was then continued until 2 o'clock this afternoon.

**GUARDIAN IS AFTER  
A DERELICT HUSBAND.**

### BRANDES AGAIN BEFORE JURY.

### Must Make Another Fight for His Life.

The second trial of W. A. Brandes for the murder of his 13-year-old daughter, was commenced this morning before Judge Ogden this morning the day being taken up in calendar calls to secure a jury.

Brandes appeared as witness in court and seemed to take a keen interest in the proceedings. He was represented by Judge A. L. Frick. District Attorney Allen was assisted in the prosecution by Deputy District Attorney Phil M. Walsh. There were few spectators in the court room, most of those present having been called as jurors.

Before the case was called, Judge Frick stated to the court that he expected the trial to last three full trial weeks. The following were called to the jury box to be examined, James L. Fogg, Antonio Lunde, H. E. Mosher, H. Schellbach, Sol Kahn, A. G. Schlesinger, James King, J. L. House, A. G. Roberts, Thomas Stanton, John Hanckel, and H. W. Koenig.

Just before the case was called Judge Ogden excused E. H. Condon for illness and W. V. Wether was excused by Judge Ogden by consent of the attorneys to allow him to attend to important business. Ferdinand Meyers of San Leandro was excused to allow him to attend the celebration of the Mexican War Veterans and John F. O'Leary was excused on account of illness.

Instead of reading the information Justice Attorney Allen explained to the court the nature of the charge against Brandes, stating that the crime was alleged to have been committed on November, 1898.

"The defendant Brandes," said he, "is charged with having murdered his own child. He was tried once and convicted, but was granted a new trial by the Supreme Court."

The first jury examined was James L. Fogg, who stated that he had read the case in the news papers and had formed some opinion as to the defendant's guilt. Judge Frick challenged the juror on the ground of actual bias, but the challenge was denied when, in answer to Judge Ogden, Fogg stated that he could not be impartial in the case.

Antonio Lunde of San Leandro said that he had no opinion in regard to the case and was passed by both sides.

H. E. Mosher said it would be hard to make him believe that a man would murder his own child, but he would be guided by the evidence.

H. Schellbach said he did not think circumstantial evidence the best evidence and also stated that he had formed an opinion as to the defendant's guilt. Judge Frick challenged the juror on the ground of actual bias, but the challenge was denied when, in answer to Judge Ogden, Fogg stated that he could not be impartial in the case.

William H. Hock, aged 30 years, was arrested in North Oakland last night and today was committed to the Insane Asylum at Stockton by Judge Melvin, after an examination by Drs. Baldwin and Tidke. When arrested he was found frightening pedestrians by his wild and rambling talk. He claims to have a diamond mine at Stockton. Nothing further regarding him could be learned.

### MILLER DAMAGE SUIT GOES TO THE JURY.

The attorney in the suit of J. D. Miller of Berkeley against the Oakland Transit Company for \$2,000 damages argued the case this morning and this afternoon it was submitted to the jury.

**NOT BUYING NORTHERN PACIFIC.**

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, May 23.—The Stock Exchange committee for general purposes decided today to suspend the buying-in of Northern Pacific shares until June 19th.

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# FRATERNAL NEWS OF THE WEEK.

## Social Meetings Held in the Lodge Rooms.

Oakland Camp, No. 94, initiated two candidates at its last meeting and voted upon several applications. Next Monday evening officers will be nominated for the ensuing term, and it is expected that a large attendance will be present. The first Monday night in June will be the election of officers. Next Monday evening will also witness the initiation of a large class of candidates, on Sunday June 16, will be held the regular memorial services of the Wo Man of the World, the neighbors visiting the cemetery and decorating the graves of deceased neighbors. They will at the same time unveil two monuments erected to the memory of departed Woodmen. Full particulars for Memorial Day program will be mailed to each member of the camp in the next day or two.

On Monday evening June 16, the camp will give an entertainment and dinner to the visit of the officers of this camp to Golden Gate on next Saturday evening has been postponed.

Last Friday evening June 16th, the camp will give an entertainment and dinner to the visit of the officers of the new men camp at Point Richmond. The meeting was very enthusiastic, the men occupying the work in a splendid manner. Neighbor Buckle, district organizer, feels very proud of the new camp which he has organized at that place. After the initiatory ceremony the officers were conducted to the banquet hall where a fine spread awaited them. It was in the early hours of the morning when the train arrived home.

It is expected that over 500 candidates will be initiated through the jurisdiction on the evening of August 16th. Camp fires will be burning that evening on the different mountains that are within easy access. The undertaking promises to be the greatest of all Western fraternal history. The only catch will be that it is doubtful as to whether the railway will be able to handle so many people on the one day.

### RATHBONE SISTERS.

Legal Temple No. 47, Rathbone Sisters, well represented at the session of the Grand Temple in St. Louis this week. Sisters Lilly, Samuels, Bay, Schwarzbauer, Annie Camp and Mrs. Chapman left Monday morning to attend the session.

The meeting last Friday night was, as usual, a very pleasant one, several visitors on their way to St. Louis stopping over to pay a visit. Among them were Supreme Representative Sister Weldon, who entertained the visitors with a few remarks.

After the close of the lodges, several games were indulged in. Refreshments were served and a pleasant time was enjoyed. Brothers A. Jones and E. Schwarzbauer carried off the honors in the whist game. A report from the Committee on Entertainment was to the effect that the next day entertainment and dance will be given at Python Hall, evening, June 5, 1901, at the wigwam, Masonic Hall, Emeryville.

### THE REBEKAHS.

The members of Oakland Rebekah Lodge No. 96, I. O. O. F., held one of its interesting sessions at their lodges room in Guy's Hall last Saturday evening. There was a number of visiting Rebekahs present. The delegates to the Rebekah Assembly, which convened in San Francisco last week, Sister Grace McPhail and Gusta Tichner gave a very interesting report of the proceedings of the Assembly.

Combinations of officers took place. At the previous sessions four candidates were conducted through the initiatory degree. The floor work by the drill team was perfect.

After the adjourned coffee and cake were enjoyed by all.

Next Saturday evening, May 25th, this lodge will give an entertainment and dinner. The committee, comprising Sister Mollie Jones and Jessie Houston, has presented the best talent for the program. The "Amorit" trio will be among the numbers. Refreshments will be served.

After the program the door will be cleared for dancing. Tickets can be purchased by the members or at the door.

### CATHOLIC LADIES' AID SOCIETY.

Catholic Ladies' Aid No. 1 of this city in a flourishing condition, the membership having increased very rapidly during the present year. Scarcey a meeting passes but one or more candidates are initiated. In addition to their fine enter-

tainments and reception of new members, they are doing in a satisfactory manner a large amount of charitable work where it is most needed, and procuring employment for those who are able to work. The officers of C. L. A. S. No. 1 for the present term are: Past President, Mrs. O. C. Kirk; president, Mrs. P. J. Ryan; senior vice-president, Mrs. J. McAllister; junior vice-president, Mrs. Hanlon; treasurer, Mrs. Coleman; recording secretary, Mrs. J. Jordan; financial secretary, Mrs. A. Porter; marshal, Miss J. Neiburg; guard, Mrs. McDonald.

### NEW DIVISION, A. O. H.

Arrangements are being made towards the formation of a new division of the Ancient Order of Hibernians in this city. The charter list has already been opened and contains the names of many of the most prominent Irish and Irish-Americans here. It is expected that the new branch of the order will be ready to take its place within the ranks of the A. O. H. about the latter part of the month.

### MYSTIC LEGION.

The Loyal Mystic Legion of America held an open session and entertainment at Fosters Hall, Clay street, Tuesday evening. Prof. Palmer's Mandolin Club played selections. The music was highly appreciated by the large audience, as was evidenced by the response.

Gene Kennedy gave an address for the benefit of the order. A cake walk was excellently executed by Edgar and Edith Lohia, the son and daughter of Mrs. Llewellyn D. McHugh, the colonel, to the great enjoyment of those present. A sketch, "Irish Love in the Kitchen," was excellently recited by Master Leo Glens and Miss Celia Spencer, pupils of Mrs. McHugh. Mrs. Chapman of Alameda recited to the delight of the audience. Prof. Palmer's Mandolin Club again rendered some excellent selections. Refreshments were then served.

### GOOD TEMPLARS.

Oakland Lodge No. 362 held an interesting and well-attended meeting Monday evening.

The candidate was initiated and more propositions for membership were on file. In spite of the fact several visitors from San Francisco were present who assisted in conducting the business. Lodge again rendered some excellent selections. Refreshments were then served.

### BOHEMIANS OF AMERICA.

Oakland Hospital, No. 2, Bohemians of America, is steadily progressing, and each meeting attracts with a large number of newly initiated members. Those members and their lady friends who attended the excursion on the bay on the 18th Inst., the occasion of the launching of the battleship Ohio, were fully satisfied with their trip, as a very enjoyable day was spent. The steamer Queen of the Yukon was chartered for the occasion and was one of the most beautifully decorated boats on the bay.

### FRATERNAL BROTHERHOOD.

Last Friday Evening Star Lodge, No. 363, I. O. O. F., held another one of its very interesting meetings. A large attendance was present. The members attended the first degree on one candidate and also conferred the second degree on two candidates the same evening. Tomorrow evening the third degree will be conferred on three candidates by the badge degree team, and one application for membership by card will be received. Brother Past Grand A. McMillan, secretary of Evening Star Lodge, who was the unanimous choice of the lodges of this district for master deputy, has accepted an important position and has been appointed. Brother McMillan is thoroughly tested in the work of odd fellowship and the district lodges may well be proud of their new district deputy, on the 1st of May 3d. Evening Star Lodge, in a body, sat in number, waiting brothers from other lodges also attend. The main object of Evening Star Lodge's first visit was to show their appreciation to Brother Past Grand J. Harris, one of the leading members of Evening Star Lodge, who was to depart for the East the following day. Brother Past Grand Reiter, in behalf of Brother Lodge, presented Brother Harris with a beautiful silver token.

### MASONIC ORDER.

R. J. Farmer, M. of Sacramento, Deputy Senior Grand Commander of the Supreme Council and Deputy Imperial Grand Constable of the Mystic Shrine of the United States and Canada, acting under the authority of John G. Jones, 33, Chicago Supreme Commander for the Northern and Southern Districts of the United States, assisted by E. A. Clarke, M. S. G. M. of Sovereign Grand Lodge of California, and G. H. Woodside, M. Sovereign Grand Inspector-General, instituted a Constituency of Ancient and Accepted Scottish Rite Masons and Temple of the Noble Mystic Shrine, with the following officers:

H. C. L. Morrison, 32, Grand Commander; H. W. J. Oleskev, 32, First Lieutenant Commander; H. R. N. Clark, 22, Second Lieutenant Commander; H. N. A. Bocourt, 22, Grand Chamberlain; H. J. P. Summers, 22, Grand S. Secretary; H. J. W. Green, 22, Grand Keeper of Seal; H. James L. Clayton, 32, Grand Steward; H. B. R. McDonald, 22, Grand Architect; H. R. F. Morrison, 32, Grand Standard Bearer; H. G. Seguile, 22, Grand Captain of Guards.

The officers of Menlo Temple, A. A. O. N. M. S. are: H. N. Clark, 32, Past Master; James L. Clayton, 32, Second Past Master; R. F. Morrison, 32, Captain of Guards; H. G. Seguile, 22, Outside Guard.

### HARBOR LODGE.

HARBOR LODGE NO. 253, I. O. O. F., at its regular weekly session last evening, conferred the third degree of Odd Fellowship on a candidate, the work being done by a select drill corps. Nominations for officers were in order at this session and from the number of members placed in nomination the election promises to be spirited and exciting. The Grand Lodge representatives will make their report at the next meeting. May

25th. The third degree will also be exemplified the same evening. All Odd Fellows are cordially invited.

### CLAN MACDONALD NO. 79.

At the last meeting, Clansman Fraser of Clan Fraser delivered a very able address on the "Parting of the Ways," a review of the great progress of the last century and the bright outlook for the present. Tomorrow evening Clansman Eddie will speak on "The Negro in America," and it is hoped that all clansmen will be present.

### EVENING STAR LODGE.

The apron and needle party given by the Fraternal Brotherhood on Friday evening, May 10th, was a great success. A large crowd was in attendance, an interesting program was presented and dinner was furnished for the dancing. The members are reminded that the first meeting of June will be the election of officers and a full attendance is desired.

### FOUNTAIN LODGE.

Fountain Lodge No. 28, I. O. O. F., is going right along and taking in new members each meeting night. Last Monday they had two members take the second degree. Next Monday evening they will initiate one new member. In fact, they have done work for every meeting night for the balance of this term. Next Monday they will hear the report from the delegate to the Grand Lodge.

### PRIDE OF THE FOREST.

Pride of the Forest Circle, No. 22, I. O. O. F. did not meet last Wednesday evening, as quite a number went to San Francisco that evening to attend the banquet of the Friters.

### BROOKLYN LODGE.

BROOKLYN LODGE, No. 22, of East Oakland will confer the first degree Tuesday evening, May 28th.

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### TESTAMENT OF THE MAN WHO SECURED LIBRARY FOR OAKLAND.

The will of the late Henry A. Chittenden, the well known newspaper and magazine writer, who died in Berkeley last September, has been filed for probate, and the widow, Mrs. Alice Chittenden who is named as executrix, has applied for letters testamentary on the estate. The value of the estate is not set forth, but it is said to consist of an interest in the estate of the late Henry A. Chittenden, Sr. of Montclair, New Jersey, and other property.

The entire estate is left to the widow, the will stating that testator knew that she would provide for their son, Gano Westerfield Chittenden. Besides the widow and son deceased left three brothers and two sisters being in Eastern States.

Mr. Chittenden was prominent in newspaper circles, formerly being connected with the New York Herald and other publications in the East and on this coast. While engaged in editorial work on the OAKLAND TRIBUNE he wrote to Andrew Carnegie, asking him to loan the Free Public Library of Oakland. In response to this letter Carnegie responded with his offer to give \$50,000 for a public library building here provided the city would agree to furnish a suitable site and maintain the library for the public. The women of the Elsie Society took up the business end of the proposition for the city after the men had fallen down on it, and succeeded in raising \$20,000 with which to purchase the site at Fourteenth and Grove streets.

Mrs. Alice Chittenden, widow of deceased, is also a writer of some note.

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## Oakland Tribune

THURSDAY ..... MAY 23, 1901

## JUDGE HART AND THE WATER RATES.

So much has been said about Judge Hart's decision and the consequences that are likely to flow from it, that it is well to bear in mind just what was decided and what was not decided. It is needless to say that the decision itself has been grossly misrepresented and its consequences distorted by exaggeration. This is not unusual in such cases. It is necessary to point out that Judge Hart made no attempt to fix water rates. The Constitution expressly invests the Council with that function, and the State Supreme Court has in equally express terms declared that it is not the province of the courts to do so. Judge Hart's decision was in direct line with the rule laid down by the Appellate Court in fact as well as all other particular, although representation has been made that he did otherwise.

He decided that the water rates fixed by the late Council were invalid for the following reason:

1. Because they were fixed arbitrarily, without proper investigation, and in a spirit of hostility to the Water Company.
2. Because they were unjust and confiscatory, inasmuch as they were based upon the under-valuation of the plant.
3. Because a large portion of the property necessary used in supplying Oakland with water was expressly omitted from the valuation.

Is it not within the common knowledge of every citizen that these findings of fact are true in every particular? It is well known that a majority of the last Council were bitterly hostile to the Water Company, and so expressed themselves in public and private. The Alvarado plant was expressly named in setting a valuation on the property, and this omission gave a pretext for cutting the rates 25 per cent.

The question of valuation was vital in determining whether the rates were compensatory or not, and the rate of interest had necessarily to be considered in the same way. From the evidence adduced he found the value of the property to be \$7,900,000, and took the rate of interest the law exacts from debtors as the measure of compensatory earnings in view of the hazards and risks to which the water business is subject. Upon this he based the finding that the rates were not compensatory, but made no declaration as to what the rates should be.

Judge Hart concluded that the property was worth \$7,900,000 at the present time. He expressly excluded from consideration disordered and unused property, and he simply followed the direction of the Supreme Court in stating that the rates should be fixed so as to afford a reasonable return on the value of the plant at the time they were fixed.

It is so filiously represented that the conclusions to be drawn from the decision constitute a part of the decision itself. This is done to bolster up the statement that Judge Hart exercised the rate-fixing power that the Constitution vests in the Council. It is because his findings show that the rates were unfair and unreasonable and unjust that they are misrepresented. The Council still must fix the rates, but the power to do so is limited to fixing them so as to afford a fair and reasonable return on the value of the property used in supplying water. The power of fixing rates does not imply the power to condemn property nor to compel its use without the compensation.

If the rates should be fixed in accordance with Judge Hart's decision they would not be doubled. This is another misrepresentation put forth to harrow up the feelings of consumers and arouse prejudice.

In 1899-1900 the gross revenues of the Water Company amounted to something over \$11,000,000, of which seven-eighths, or \$8,400,000, was collected within the city limits. If the rates be fixed on Judge Hart's valuation, the gross amount to be collected inside the city would be \$6,227,500. This is a long way from double rates. But the city is growing and new services are constantly being inaugurated, which operate to increase the revenues without increasing the rates.

It is not believed that the Water Company has any intention or desire to exacting in the matter. It has acted very fairly and liberally with the city in settling the municipal water bill on a basis that permits the schools to be kept open, and there is no reason to believe that it has any purpose to demand rates that might be deemed oppressive.

Having obtained a favorable adjudication of its claim the corporation will probably not insist upon its full rights under the decision for the present. With very little additional expense the plant can be made to supply a much larger population than Oakland now contains. If the city continues to grow as it is growing now, the natural increase in consumers will adjust the rate question without artificial aids. The number of ratepayers is rapidly increasing, both inside and outside the city, and this factor alone will be a large inducement to the company to force its legal claims to a considerable extent. It is vitally interested in the growth and prosperity of the community, and common sense teaches that it will not pursue a policy that would inevitably recoil upon itself. That is what the city has done, and the lesson that has been taught is not likely to be lost on all concerned.

It may be said at once, however, that matters are not going to be resolved by misrepresenting the scope and purport of Judge Hart's decision or ridiculously magnifying its consequences to the ratepayers, for by keeping local politics inoculated with an air of seeming hydrocephalus. Neither will anything be gained by saying, above the false report that property in this city is to be condemned to pay water rates. This defamatory statement has done enough harm already, being come true as it is with the fact that the water supplied to Oakland is pure and undrinkable. No city in California has better water than Oakland or has it in greater abundance, and we feel confident that the rates in future will not be exorbitant or unreasonable.

## MALICE OF BAFFLED CONSPIRATORS.

The action of Councilman Cuvelier last night was evidently directly inspired by the newspaper that endeavored to blackmail the Water Company out of \$5,000. His plain object was to compel the closing of the High Schools by preventing the payment of the city's water bills. The legal pretenses put forth by the Enquirer are mere figments conjured up to cloud the issue and furnish no excuse for sealing the schools and the public interests to the exigencies of a crusade to gratify private malice and cupidity. The Council were ordered not to pay the water bills, and the Auditor and Treasurer were likewise ordered not to honor the demands. In obedience to this slave-driving command Cuvelier and Dornin turned tail on their votes to accept the offer of President Dingee, and stolidly themselves demanding that water rates for the present year be fixed anew, in the face of the City Attorney's statement that to do so would cut off the city's right to appeal the water case. Cuvelier was guilty of basing this demand upon a hypocritical desire to see that the Water Company got its money. His real object was to prevent that consumption and thus force the closing of the schools.

The malign domination which has directed paltry demagogues of the Cuvelier type in the past was expressly repudiated at the late election. The voters declared that the Enquirer and his crew had mismanaged the affairs of the city long enough. The advice of that sheet is based upon malice—the fruit of the failure to extort \$5,000 from the Water Company. One of the owners of the Enquirer has been going about the streets stating that he hoped that the water

rates would be more than doubled; that the people deserved that for defeating his crowd. The same individual hopes to see the High Schools closed that he may have a pretext for laying insult on the Council for being incompetent.

The attempt to force a decision of legal and constitutional questions in the Council would be absurd if it were not malicious and made to mask a false pretense. When the water bills are ordered paid the legality of the Council's action can properly be questioned and brought under judicial review. The Contra Costa Company has supplied the city with water. Its bills were both legal and just, and the offer to accept the rate that the city has fixed and which the company claims to be just is liberal, while the donation of a large portion of the amount due to the schools can justly be characterized as magnanimous. The proposition to reject this offer on pretenses that defy common sense and common justice is prompted by a desire to promote strife and is little short of a criminal effort to injure the city and its good name.

## BATTLE FOR THE POSSESSION OF SESSIONS' BASIN OPENED

## Struggle for Valuable Property in East Oakland—How a Deed Went on Record.

The trouble over the possession of Sessions' Basin, which was chronicled in last evening's TRIBUNE, has caused much speculation and comment in business and real estate circles. Yesterday there was filed with the County Recorder an agreement between the California Improvement Company and E. C. Sessions, which showed how much scheming and cross-playing had been going on between those who are trying to seize possession of and reclaim the 50 acres of valuable marsh land in East Oakland known as Sessions' Basin. The litigants, however, are reticent about the matter, claiming that the various transactions were private business, although in the agreement A. D. Wilson is charged with borrowing a quit claim deed to the property to show to his lawyer, when in reality, he intended to record it for the purpose of clouding the title to the property. The deed mentioned assisted the title of the property from the Improvement Company to Wilson, but it was intended to deliver it to him only after he had complied with certain conditions.

According to those who claim to be on the inside of the deal H. W. Carpenter originally had the title to the land and the California Improvement Company secured an interest in it. In 1899 Allen D. Wilson entered into an agreement with the company, intending to improve the property, but for reasons unexplained failed to fulfill his part of the agreement. He was then given an extension of time, but in the meantime Sessions had made a similar agreement with the company to take the property as soon as Wilson's extension of time expired.

To expedite matters the company had executed a quit claim deed and assignment of the property to Wilson, to be delivered to him as soon as his part of the agreement had been fulfilled. Wilson recently borrowed these documents to show to his lawyer, but when in possession of them, it is alleged, caused them to be recorded, hence the agreement between the California Improvement Company and Sessions filed yesterday.

For years it has been the idea of promoters to fill in Sessions' Basin and convert the present almost useless land into valuable property. Lack of capital and other difficulties have retarded the improvement, but it has never been lost sight of by those interested, and those who should know say that the work will be commenced as soon as the difficulty between Sessions and Wilson is settled. When that will be doubtful, as it is probable that a long and bitterly contested lawsuit will result.

When seen last evening Mr. Sessions was not pleased that the matter had been made public.

"I would not say that Mr. Wilson had been guilty of fraud," said he. "That is too harsh a word to use in connection with the name of a man like Wilson. The whole matter is private business, in which the general public has no interest. The document on file speaks for itself and I do not care to be quoted further. I certainly do not wish to enter into a newspaper controversy, nor do I wish to decide the question of title to the land through the newspapers. I cannot discuss the question of title at all, and I do not know that there will be any lawsuit. As to the improvements to be made in the district known as Sessions' Basin, it is far too early to make any statement whatever."

## J. A. BRITTON MAKES LARGE REDUCTION IN COST OF LIGHT

## In a Letter to the City Council He Shows That the Gas Company Is Very Liberal.

At the adjourned meeting of the City Council last night, but one bid was received and opened for lighting streets and public buildings. This came from the Oakland Gas Light and Heat Company. City Clerk Red Church first read the following letter from John A. Britton, president of the gas company:

To the Honorable City Council of the City of Oakland, Cal.—Gentlemen: We herewith enclose you our bid for the lighting of the streets and public buildings of the city of Oakland, and, as will be observed, another reduction has been made in the price, which will result in a saving to the city.

This will permit the erection of a number of new lamps and still maintain the expense at a less figure than last year.

In this connection permit us to say that the cost to the city for its lighting for the coming year will be at least \$5,000 less than it was in 1898, when 420 lamps were lighted; now there are 672, being an increase of 242 lamps; 59 per cent additional lighting being accomplished by the voluntary reductions made by this company in accordance with its desire to render the cost to the city as low as conditions of production will permit.

Under present arrangements the city has practical control of the electric lighting system, the lights being ordered on and off at the option of the City Electrician, a system which gives the best results in economy to the city and takes the matter out of the hands of the lighting company. Yours very truly,

JOHN A. BRITTON, President.

Following this reading the clerk read the bid of the company as follows:

"For street lights, 3¢ cents per lamp per hour, and for the lighting of public buildings, for each arc lamp of 2,000 candle power (commercially rated) at and for the price of \$7.00 per lamp per month, or at the rate of 3¢ cents per lamp per hour; the number of hours that each lamp is to burn when used in public buildings at the rate of \$7.00 per month not to exceed 1,500 hours per annum; and for incandescent lamps for public buildings by meter measurements, at the rate of 10 cents per thousand watts, subject to the following discounts: For a consumption of over 200,000 watts per month and under 300,000 at 20 per cent, and for a consumption of over 400,000 and under 600,000 at 40 per cent, and for a consumption of over 600,000 watts, 50 per cent, the above amount to be based upon the total registration of all current used by the city of Oakland during any one month, and for gas for public buildings, at the rate of \$1 per thousand cubic feet by meter registration."

The communication, together with the bid, was referred to the Street Lighting Committee.

Ten Eyck Remsen Boardley, a prominent

## OAKLAND TRIBUNE.

WILLIAM J. DINGEE  
903 Broadway, Oakland.

## Executors' Sale

AT  
AUCTION

By order of Hon. F. B. Ogden and H. M. Sanborn Esq., the executors, and subject to confirmation by the Superior Court, I will sell at Public Auction, on

## Saturday, May 25, 1901

AT MY SALESROOM:

No. 903 Broadway, Oakland

all of the real estate belonging to the ESTATE OF ELIZABETH HUTCHINSON, Deceased.

Consisting of the following properties:

**Business Property**—Lot 50 x 100, on 14th street, (south side) near Washington street, partially improved, now occupied by Sanborn Nursery, steadily increases in value, almost in heart of business center.

**Residence Lots on Telegraph Avenue**—48 x 140; 60x140; very choice, on beautiful avenue.

**Five Choice Residence Lots on 26th Street or Bay Place**—40x100 each, north side of street.

**Piedmont Residence Property**—Nearly 2 acres, as a whole or in subdivisions, north side of Vernal avenue, near Oakland avenue, at terminus of Piedmont Electric line. Beautiful views.

**Broadway and 51st Street**—26 Lots 25x150 each, facing Broadway, Birch and Diamond streets. Good future.

**4 Acres on Pleasant Valley Avenue**—Suitable for suburban home or for subdivision, a rapid rise in value anticipated.

**20 Choice Lots in Claremont Park**—25x100 each, rapidly developing. Very choice for investment.

## Terms of Sale

Cash to the Hutchinson Estate but we guarantee loans to the purchasers up to 75 per cent of purchase price repayable in annual installments. Low interest.

## TITLES ARE PERFECT

Abstracts and Certificates of Title down to date of sale, showing perfect titles, furnished for use of purchasers free.

## Send for Catalogues

Carriages at office to show properties. For further particulars apply at office.

## WILLIAM J. DINGEE

903 Broadway, Oakland.

Mr. and Mrs. E. B. Reed of Decoto were visiting friends in Danville last week.

Mrs. McNeil and daughter of Danville were visiting friends at Elmhurst last week.

Mrs. J. L. Emigh of Solano spent last week with relatives in this city.

Will and Irving Robbins, both students at Berkeley, will spend their vacation at their home in Solano.

J. S. Brown of this city was in Los Angeles last week.

Middleton, Stanbury and Scott Hendricks are at their home in Chico for a short visit. Both young men attend the U. C.

H. C. Poole of this city has been visiting friends in Cloverdale.

Mrs. C. E. Trower, who has been visiting in this city, returned to her home in Napa last week.

L. D. Stephens of Napa is in town for a few days.

Mr. and Mrs. John J. Shinke announce the engagement of their daughter, Miss Mabel Shinke, to Leslie McMillian. Miss Shinke is a charming blonde, whose talents have won for her a place in musical circles on both sides of the bay. She is a graduate of Notre Dame Convent, Marysville. Mr. McMillian is a Deputy County Clerk.

The wedding will be celebrated at the home of the Shins on Grove street. None of the details has been arranged yet, but the marriage will take place in the early fall and the young couple will probably take a trip to Mr. Shinke's coffee plantation in South America, after which they will reside in Oakland.

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The business section of the Ebell Hall tenanted to a very interesting address this morning by Miss Jennie Watson, her subject being "Books and Banking." Her next lecture will be on Wednesday, the 26th inst., at 10 A. M., when she will discuss on "Will and the Use and Nature of the Probate Court."

The communication, together with the bid, was referred to the Street Lighting Committee.

Ten Eyck Remsen Boardley, a prominent

MAY 23, 1901.

Kahn's—the always busy corner.

## A few good Specials for Friday

## A Window Full of Sunbonnets

—For Ladies—Misses—Children—pink, blue, red, grey, solid and striped—new shapes, new stock, best two bit Sunbonnet. Friday only.....

## A Window Full of Fancy Ribbons

All silk, all the new colors—and newest patterns, 3 to 4 inches wide.....

## A Window Full of Ladies' Skirts

—Solid colors—pink, blue, navy and lavender. A fine percale trimmed with a band of insertion—over skirt effect—manufactured to retail at one-fifty. Friday only.....

## A Window Full of Ladies' Fancy Hose

Striped top—black hoot—Hermes or dye—none worth LESS than half dollar. Friday only.....

## Millinery Specials

## JUST RECEIVED

An Elegant Line of Children's Trimmed Hats  
On Sale Friday and Saturday.

Line No. 1..... \$1.50 Line No. 3..... \$2.25  
Line No. 2..... 1.75 Line No. 4..... 3.00  
Line No. 5..... \$3.50

Also 5 Lines of FLOWERS—large assortment—new goods—

ROSES—Line 1..... 5¢ bunch  
Line 2..... 15¢ bunch  
Line 3..... 25¢ bunch

Rose Foliage..... 25¢ violet Foliage..... 15¢  
Lilies..... 25¢ field Daisies..... 15¢  
Carnations..... 15¢ Marguerites..... 15¢

STRAW BRAIDS—Pastel Blues, Green, Violet and Mauve—on sale Friday and Saturday.

**The Lace House**The H. C. CAPWELL CO.  
12th and Washington Streets.  
OAKLAND.**Tailor-made Suits**  
can nowhere be bought today with more satisfaction than we are giving. Prices on highly finished suits have been reduced from 10 to 40 per cent, and we guarantee perfect fit, even to the hard-to-fit.

## "Hitch your Wagon to a Star"

said Emerson, to which we would add—be sure you get the right star. We confidently believe that we are THE star in our particular constellation to which all can with safety and profit, hitch their wagons—in the Emersonian sense.

**New Lace Curtains**—After the summer home-renovation the old curtains look somewhat worn; they are not as fresh as you would like. Those in the parlors may be good enough for the dining-room, or to put up for bedroom windows. You want new ones to take their places. Yesterday the very newest in Curtains arrived—come in, and delight yourself by inspecting them.

**Nottingham Curtains**, designed after real Brussels effects; 40 inches to 1½ yards wide—prices **60c, 75c, 85c, \$1.00, 1.25, 1.50, 1.75, 2.00, 2.25**, and up to **5.00 pr.**

**New Ruffled Curtains**, plain, figured and dotted, prices **.85c, \$1.00, 1.10, 1.25** and up to **2.50 pr.** Also, Brussels, Irish Point, Antique, Arabian, and other curtains, ranging from **\$3.00 to 15.00 pr.**

**For Confirmation**—Pure white dresses, rightly made, daintily trimmed—for misses from 6 to 14 years. Prices **1.50, 2.25** and up to **4.00**.

A very desirable confirmation dress is made of good lawn; waist, ruffles over shoulder, cuffs and neck trimmed with Valenciennes lace; full skirt, with deep hem. Price **.150**.

**Misses' Summer Hats**, in perhaps fifty styles. They begin with neat lawn hats, with corded brims and handsomely embroidered crowns, at **65c**, and end with an elegant choice of youthful fancy millinery at **.50**.

A charming Hat for a little miss is made of fancy straw with novelty crown; pleated lawn brim, edged with satin ribbon, trimmed with rosette and flowers **.150**.

## MOTHER ARRESTED FOR ABDUCTION

Lively Battle Over the Custody of a Child.

What promises to be a bitter legal contest over the possession of a boy-age-14 kid will be brought shortly in one of the departments of the Superior Court in San Francisco, where J. Pedro, 40, of 735 Market street, this city, and his former wife, Mrs. Marie Dicker, will be the principals.

The Pedro formerly resided for some years in San Francisco, but later married. He was a strong one, and in 1897 Pedro obtained a decree of divorce from his former wife, Mrs. Marie Dicker, who is now Mrs. Marie Dicker, and she has been granted the custody of the child.

Pedro claims that his ex-wife shortly after the decree left this State suddenly in company with a friend whom he avers formerly had been showering attentions upon his wife.

Accordingly he appeared before the San Francisco Superior Court, and on the strength of a petition containing allegations gravely reflecting upon the ex-wife's character he secured a motion for the crucial decree of divorce, and was granted an order awarding to him the custody of the 14-year-old child, a son.

Armed with this order Pedro searched

far and wide for his ex-wife during the past year in the hope of regaining control of his child. Last night he met the woman on the street here in company with the child. He advised her of the order of court granting him its custody, but the ex-wife, who since her departure nearly two years ago has become Mrs. Dicker, vigorously refused to give up the child in attempt to flee with her. Pedro pursued her and caused her arrest by policeman Still on Fourteenth street on a charge of abduction.

When Mrs. Dicker appeared in the Police Court this morning Pedro was not on hand to swear to a complaint and Police Judge Smith ordered her discharged.

Prosecutor Abe Lisch advised her that if there be any further dispute over the possession of the child the Superior Court in San Francisco is the proper place to settle the matter.

Mrs. Dicker stated that she would immediately apply to have the order granted her instant custody revoked. She is a large woman of 35 summers, of rather striking appearance, and claims that her son was an Indian child.

THIS DISPLAY AD in today's Tribune should be read regarding the great Wiley B. Allen piano sale.

**JESSIE SHIRLEY AT THE MACDONOUGH THEATRE.**

At the Macdonough Theatre Miss Jessie Shirley with a very strong cast is presenting "Timberland '92" which is a drama of extraordinary strength and vigor. The play will continue for the balance of this week, when it will be succeeded by another equally as good.

**Rev. Potter Will Not Leave.**

Through an error it was stated last week that Dwight E. Potter was going to Korea. It is Rev. E. H. Miller who goes to Korea. Mr. Potter has no intention of leaving Union Street Church, which is so prosperous and has, as he believes, a splendid future of usefulness.

## CAUTION!

We caution the public against buying any of the cheap worthless carriages to be sold at auction Tomorrow Friday May 24th, at the pavilion. These carriages were sent to us, but we found them defective in many ways, and they were not well enough built to stand this moist climate, so we were obliged to ask for a heavy discount without any guarantee, but the Agent preferred trying to gull the Oakland public to accepting our offer.

**Oakland Carriage and Implement Co.**  
362-364-366 Twelfth Street  
PHIL STEIN, Manager.

## CONTRA COSTA COMPANY ASKS FOR FAIRNESS AND JUSTICE.

Impressive Statement By Manager Adams Before the City Council of the Company's Policy.

When the Council met last night to consider water rates, Cuvelier and Dornin tried to sidetrack the investigation by springing a bungo discussion regarding Judge Hart's decision, but Wallace did not second them, and they were finally compelled to subside. When Chairman Bishop of the Fire and Water Committee moved to take up the matter of fixing water rates for next year, Mr. Wilson suggested that it would be wise to agree upon a line of procedure so as to expedite the investigation.

Arthur L. Adams, manager for the Contra Costa Water Company, arose and said:

"I do not presume to dictate the course which you should pursue," said Mr. Adams, "but I would suggest, and I think the suggestion is proper in view of the fact that I am the manager and representative of a corporation having large interests at stake, that I be permitted to make a statement on behalf of the company. And I suggest that I be allowed to read a report I drew up last fall dealing with the valuation of the water company's property. It contains information that would probably require two or three evenings to bring out by questioning."

"Before I begin I should like to make a statement regarding the attitude of the water company toward the city and the relations that must exist between the two in the future."

"Mr. Adams, is the actual investment in the plant more than \$5,000,000 less than that amount?" he inquired.

"It is exclusively to my mind that the investment is in the neighborhood of \$5,000,000," replied Adams.

"Does that include an appreciation of values?" asked Wilson.

"It does. I am glad you called my attention to that. In my original analysis by which I reached the \$5,000,000 valuation I excluded the abandoned structures and certain unused property, but included the enhanced value of the San Leandro reservoir. The \$5,000,000 is the value which would make up the difference. They are included in the total investment, but are excluded from the valuation of the property now in use. The little under \$5,000,000, but portions of the property have considerably enhanced in value."

"Does water cost more per thousand gallons in Oakland, less, than in other cities?" persisted Courtney.

"It costs a great deal less than in San Francisco. In San Francisco the charge for water is about double what it is in Oakland, and the charge per thousand gallon is still higher. In the Eastern cities generally, the rates are lower than here because of the greater abundance of water supply and the greater natural facilities for making it available. In California we have a semi-arid region which renders water more difficult and expensive to get, and hence more valuable. We do not have plentiful flowing streams or large lakes from which a permanent supply can be drawn. This last entails the necessity of impounding the rainfall at heavy cost. The lack of available reservoirs plus suitable drainage areas enhances the expense of water development."

The Council then adjourned to meet again this evening. Several of the members came up to Mr. Adams to be introduced. Dornin among them. Dornin asked Mr. Adams for a memorandum of his points, which the latter promised to give him.

## W. S. PALMER IS THE LUCKY MAN.

West Oakland Man Will Succeed J. B. Wright.

W. S. Palmer, assistant superintendent at the West Oakland side, has been appointed division superintendent to succeed J. B. Wright of Sacramento, who has resigned as superintendent on that division.

The appointment is a happy one, as Mr. Palmer is one of the most popular railroad men at West Oakland. By hard work and close application to business Mr. Palmer has worked his way up the railroad ladder to near the top. He has earned the honor and confidence reposed in him.

Mr. Palmer was born in San Francisco in 1858 and was educated in the public schools. He graduated from the University of California in the College of Civil Engineering in 1884. He entered the employ of the Central Pacific Company in August, 1886, and worked for four years in the bridge and building department as laborer, carpenter and draughtsman.

Mr. Palmer worked seven years in the engineering department of the Southern Pacific Company in legislation and construction of railroads as roadmaster, transit man and chief of party. Then he worked four years as contracting engineer for the firm of Palmer & Story, and built the Colusa and Lake Railroad, the Yreka Railroad and the Pomo Valley Railroad.

Subsequently he worked eight years as resident engineer in charge of the maintenance of track, bridges and buildings on the Sacramento and Weaverville Division. For two years he has been assistant superintendent and resident engineer of the Western Division and stationed at the West Oakland mole.

Mr. Palmer has a host of friends who will be delighted to hear of his merited promotion.

## Will Compromise.

Judge Hall has decided in favor of the plaintiff in the suit of G. G. Wickson against Anna Simon for possession of a house in Berkeley. Mrs. Simon, as administratrix of the estate of Eliza A. Nichols, has been granted permission by the court to compromise her suit against Wickson, also for possession of Berkeley property, for \$1,600.

## The WILEY B. ALLEN Co.

ARE HERE  
TO STAY  
AND OUR  
Great Sale of High-Grade Pianos  
CONTINUES

PORTLAND  
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If you want a Steck, Conover, Hardman, Ludwig or Harrington Piano—come and see us. Price is right! Goods are right!

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IF YOU WANT a slightly used instrument in fine condition—TAKE ONE OF THESE—

Upright Chickering Bros. Special at	<b>\$285.00</b>
Upright Sterling. Special at	<b>260.00</b>
Upright Gilbert & Co. Special at	<b>182.00</b>
Square Chickering & Sons. Special at	<b>65.00</b>
Lyon & Healy Pipe Organ—very fine. Special at	<b>128.00</b>

The WILEY B. ALLEN CO.  
951 BROADWAY, Cor. 9th  
OAKLAND  
931-933 MARKET ST.  
SAN FRANCISCO

## A DEMOGOGUE'S QUEER ANTICS.

Another Attempt to Compel Closing of High Schools.

"I come in here tonight with the intention of voting against the resolution, but since I have heard what the City Attorney has said to say I shall vote for it," said Professor Wallace.

"This question was all gone over last Monday night," said President Schaffer, and the question of the legality of the Council's action is something that cannot be decided here. We have passed a resolution instructing the Board of Public Works to order paid certain water bills. This resolution instructs the Board of Police and Fire Commissioners to order paid similar bills. The legal questions involved cannot be settled by voting down this resolution. Any question of legality must be decided elsewhere and by others. Call the radio."

The position was adopted, Cuvelier and Dornin voting no.

Professor Wallace's refusal to second the scheme to compel the schools to be closed was met with hisses and jeers, and Dornin, who endeavored to dislodge their purpose under the pretense of a tender regard for the water company's interest, was hissed.

## A Soothing Smoke.

an evening's pleasure. On "Grand Grant" of "Lancaster" cigar, all the B. B. Berwick, 12th and Broadway.

Solid oak furniture, all new, at very low prices. H. Scheibler.

## When You Are Thirsty.

Call to the Galindo Hotel bar, 411 Eighth Street. Bouquet & Frame, proprietors.

## Meat Quotations

Beef, Mutton, Lamb—Lower, Venal and Pork—Steady.

Porterhouse Steak	\$1.12
Tenderloin	.90
Loin Steak	.80
Round Steak	.70
Rib Roast	.70
Beef to Boil or Stew	.65
Round Roast	.65
Butcher Chops	.60
Pork Chops and Pork Roast	.60
Pigs' Head and Feet	.60
Spring Lamb	.60
Veal	.60
Ham	.60
Sausage	.60

VINCENT'S MEAT MARKET. Telephone Main 161. Seventh and Washington Sts.

## SEWING MACHINE

NEW HOME DOMESTIC WHEELER & WILSON AUTOMATIC AND STANDARD

SOLD ON INSTALLMENTS Rented or Repaired

E. L. SARGEANT

464 Twelfth Street Phone Black 471.

## THE PIONEER FRENCH BAKERY

M. B. J. LONG, Proprietors.

N. E. cor. Tenth and Webster Sts.

Telephone White 555, Oakland.

First quality French bread delivered to all parts of Oakland, Berkeley and Alameda. Let us make to order for camping parties. French rolls made to order.

YOUNG MEN!

Thousands of young men and middle-aged men growing prematurely old because of the practice of vices or excesses have been restored to perfect strength and glorious manhood by the use of this worm-out man's best friend, and if you use LINCOLN SEUPHIL PILLS you will surprise yourself and your friends by becoming a strong, manly man.

Price, \$1.00 per box, buy of your druggist or sent by mail on receipt of price, in plain wrapper.

LINCOLN PROPRIETARY CO., Fort Wayne, Ind.

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Sole Agents in Oakland.

## NOTICE TO THE PUBLIC.

Here is a chance for BARGAINS. We are positively selling out our entire stock of HARDWARE, GARDEN and MECHANICS' TOOLS, etc., etc., regardless of cost. Also 20,000 feet of high and medium grade Garden Hose, remnants from 10 to 48 feet, which we will sell at from 4 to 6 cents per foot. Also, 5000 feet of good Second-hand Hose very cheap. Come and be convinced.

Livingston Bros. No. 843 BROADWAY

Three Doors Below Seventh.



## LIGHT WEIGHT

in Bicycles is a highly advantageous quality when combined with great strength, stability and symmetry. Found that Tribune wheels possess all of these essential attributes, and so are high favorites with discriminating, well posted riders. Tribune wheels are wheels to admire, to ride, to be proud of.

We sell The Tribune Wheels.

## &lt;h2





